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Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

**(Use as many sheets as necessary)**

**Complete if Known**

Application Number	09/648,071
Filing Date	August 25, 2000
First Named Inventor	David Yinkai Chao
Art Unit	2873
Examiner Name	Hung Xuan Dang
Attorney Docket Number	62188.010408

Sheet	1	of	3
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## U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
HJD		US- 6,149,269		Julie Madison	
		US-			
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		US-			
		US-			Miracle's reply to Plaintiffs

## FOREIGN PATENT DOCUMENTS

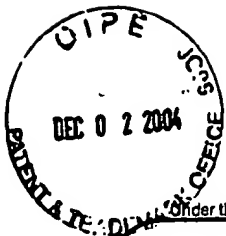
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Examiner Signature		Date Considered	2/15/05
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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PTO/SB/088 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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**Complete if Known**

Application Number 09/648,071

Filing Date August 25, 2000

First Named Inventor David Yinkai Chao

Art Unit 2873

Examiner Name Hung Xuan Dang

Sheet 2 of 3

Attorney Docket Number 62188.010408

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS); title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Order Construing Claims of U.S. Patents RE 37,545 and 6,109,747	
		Miracle's Motion for partial summary judgment of invalidity of claim 12 of the '747 patent under 35 U.S.C. 101, 112 and 102(a)	
		Declaration of Mark Hurvitz in support of motion for summary judgment of invalidity of the '747 patent	
		Miracle's statements of undisputed facts and conclusions of law in support of summary judgment motion of invalidity	
		Declaration of Katherine McGuire in support of motion for partial summary judgment of invalidity of the '747 patent	
		Plaintiff's statements of genuine issues of material facts in opposition to Miracle's motion	
		Plaintiff's opposition to Miracle's motion for partial summary judgment of invalidity of claim 12 of the '747 patent	
		Plaintiff's evidentiary objections to McGuire's declaration	
		Declaration of Ako S. Williams in opposition to Miracle's motion for summary judgment of invalidity of claim 12 of the '747 patent	
		Declaration of David Yinkai Chao in opposition to Miracle's motion for summary judgment of invalidity of claim 12 of the '747 patent	

Examiner Signature	#D	Date Considered	2/15/05
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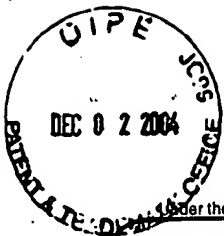
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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This is not a prior art



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		Examiner Name	Hung Xuan Dang
Sheet 3	of 3	Attorney Docket Number	62188.010408

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
		Miracle's reply to Plaintiffs' opposition to Miracle's motion for summary judgment of invalidity of the '747 patent	
		Miracle's evidentiary objections to David Y. Chao's declaration	
		Miracle's opposition to Plaintiffs' evidentiary objections to Katherine McGuire's declaration	
		Order denying Miracle's motion for partial summary judgment of invalidity of claim 12 of the '747 patent	
		Miracle's ex parte application for reconsideration of denial of motion for summary judgment for invalidity of the '747 patent	
		Plaintiffs' opposition to Miracle's ex parte application for reconsideration	
		Declaration of Jose Pena in opposition of Miracle's ex parte application for reconsideration	
		Miracle's reply to plaintiff's opposition to ex parte application for reconsideration	

Examiner Signature	<i>HD</i>	Date Considered	2/15/05
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